

Amendments to Claims

Claim 1 (Currently Amended) An isolated nucleic acid molecule encoding a replication protein selected from the group consisting of:

(a) an isolated nucleic acid encoding a replication protein having the amino acid sequence as set forth in SEQ ID NO:2; and

(b) an isolated nucleic acid encoding a replication protein that hybridizes with (a) under the following hybridization conditions: and is washed with 0.1X SSC, 0.1% SDS, 65°C, and washed with 2X SSC, 0.1% SDS followed by 0.1X SSC, 0.1% SDS; or

an isolated nucleic acid that is complementary to (a), or (b).

Claim 2 (Original) The isolated nucleic acid of Claim 1 as set forth in SEQ ID NO:1.

Claims 3-4 (Canceled)

Claim 5 (Canceled)

Claims 6-16 (Canceled)

Claim 17 (Original) A plasmid comprising the nucleic acid of Claim 1.

Claims 18-19 (Canceled)

Claim 20 (Currently Amended) A plasmid according to Claim 17 or 18 further comprising at least one nucleic acid encoding a selectable marker.

Claim 21 (Canceled)

Claim 22 (Currently Amended) A plasmid according to Claim 17 or 18 further comprising an origin of replication that is functional in a gram positive bacterium.

Claim 23 (Original) A plasmid according to Claim 22 wherein the gram positive bacterium is a member of the Actinomycetales bacterial family.

Claim 24 (Original) A plasmid according to Claim 23 wherein the gram positive bacterium is selected from the group consisting of, *Actinomyces*, *Actinoplanes*, *Arcanobacterium*, *Corynebacterium*, *Dietzia*, *Gordonia*, *Mycobacterium*, *Nocardia*, *Rhodococcus*, *Tsukamurella*, *Brevibacterium*, *Arthrobacter*, *Propionibacterium*, *Streptomyces*, *Micrococcus*, and *Micromonospora*.

Claim 25 (Currently Amended) The plasmid according to Claim 17 or 18 further comprising at least one promoter suitable for the expression of a gene in *Rhodococcus*.

Claims 26 – 33 (Canceled)

Claim 34 (Currently Amended) A transformed bacteria comprising the plasmid of Claim 17, or 18.

Claim 35 (Original) A transformed bacteria according to Claim 34 wherein the bacteria is a member of the Actinomycetales bacterial family.

Claim 36 (Original) A transformed bacteria according to Claim 35 wherein the bacteria is selected from the group consisting of, *Actinomyces*, *Actinoplanes*, *Arcanobacterium*, *Corynebacterium*, *Dietzia*, *Gordonia*, *Mycobacterium*, *Nocardia*, *Rhodococcus*, *Tsukamurella*, *Brevibacterium*, *Arthrobacter*, *Propionibacterium*, *Streptomyces*, *Micrococcus*, and *Micromonospora*.

Claim 37 (Original) A transformed bacteria. according to Claim 36 selected from the group consisting of: *Rhodococcus equi*, *Rhodococcus erythropolis*, *Rhodococcus opacus*, *Rhodococcus rhodochrous*, *Rhodococcus globerulus*, *Rhodococcus koreensis*, *Rhodococcus fascians*, and *Rhodococcus ruber*.

Claim 38 (Original) A transformed bacteria of Claim 34 comprising a second plasmid belonging to a different incompatibility group.

Claims 39-41 (Canceled)